

Entered - 04/16/01 - sb
CL 00L0230 - GWENDOLYN BURNS

CLAIM OF: KARSTEN PERRY
1516 18th Place No., Apt. B
Birmingham, Alabama 35234

01- *R* -0677

For vehicular damages alleged to have been sustained as a result of a vehicular accident on April 12, 2001 at South Marietta Parkway at I-75 South.

BY PUBLIC SAFETY AND LEGAL ADMINISTRATION
COMMITTEE:

BE IT RESOLVED by the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **KARSTEN PERRY** the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character for vehicular damages alleged to have been sustained as a result of a vehicular accident on April 12, 2001 at South Marietta Parkway at I-75 South as is more particularly set forth in the within claim; said sum taken from and charged to account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

CONSENT AGENDA

Rosalind Rubens Newell
MUNICIPAL CLERK
MAY 21 2001
CERTIFIED

ADOPTED BY
MAY 21 2001
COUNCIL

APPROVED: SUSAN PEASE LANGFORD
CITY ATTORNEY

BY: *Rosalind Rubens Newell*
ROSALIND RUBENS NEWELL
DEPUTY CITY ATTORNEY

Robert M. J. DCA



APPROVED
MAY 30 2001
WITHOUT SIGNATURE
BY OPERATION OF LAW



**MUNICIPAL CLERK
ATLANTA, GEORGIA**

01-R-0677

A RESOLUTION

**BY PUBLIC SAFETY &
LEGAL ADMINISTRATION COMMITTEE**

BE IT RESOLVED BY the Council of the City of Atlanta that the action of the Department of Law be approved in authorizing payment to **Karsten Perry** in the sum of **\$2,000.00** in full settlement and satisfaction of all claims, past, present and future, of every kind and character, for damages alleged to have been sustained as a result of a **vehicle accident on April 12, 2001 at South Marietta Parkway at I-75 South** as is more particularly set forth in the within claim; said sum taken from and charged to Account 1A01/529017/T31001, Settlement of Suits and Claims, Department of Law.

A true copy,

Rhonda Daughkin Johnson
Municipal Clerk, CMC

ADOPTED by the Council
RETURNED WITHOUT SIGNATURE OF THE MAYOR
APPROVED as per City Charter Section 2-403

MAY 21, 2001

MAY 30, 2001

DEPARTMENT OF LAW - CLAIM INVESTIGATION SUMMARY

Claim No. 01L0230

Date: May 4, 2001

Claimant /Victim KARSTEN PERRY
BY: (Atty) (Ins. Co.) _____
Address: 1516 18th Place North, Apt. B, Birmingham, AL 35234
Subrogation: _____ Claim for Property damage \$ 3,858.40 Bodily Injury \$ _____
Date of Notice: 4/16/01 Method: Written, Proper X Improper _____
Conforms to Notice: O.C.G.A. §36-33-5 X Ante Litem (6 Mo.) X
Date of Occurrence 4/12/01 Place: South Marietta Parkway and I-75 South
Department PARKS, RECREATION & CULTURAL AFFAIRS Division RECREATION
Employee involved Lisa A. Grant Disciplinary Action: Pending Review

NATURE OF CLAIM: Claimant's vehicle sustained damage when it was backed into by a city vehicle.

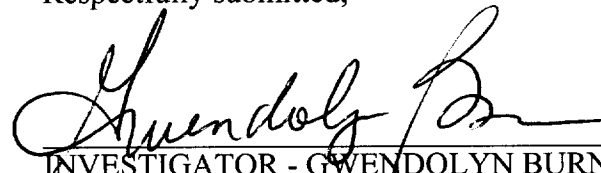
INVESTIGATION:

Statements: City employee _____ Claimant _____ Others _____ Written _____ Oral _____
Pictures _____ Diagrams _____ Reports: Police X Dept Report _____ Other _____
Traffic citations issued: City Driver _____ Claimant Driver _____
Citation disposition: City Driver _____ Claimant Driver _____

BASIS OF RECOMMENDATION:

Function: Governmental X Ministerial _____
Improper Notice _____ More than Six Months _____ Other _____ Damages reasonable _____
City not involved _____ Offer rejected _____ Compromise settlement X
Repair/replacement by Ins. Co. _____ Repair/replacement by City Forces _____
Claimant Negligent _____ City Negligent X Joint _____ Claim Abandoned _____

Respectfully submitted,



INVESTIGATOR - GWENDOLYN BURNS

RECOMMENDATION:

Pay \$ 2,000.00 Adverse  Account charged: 1A01 X 2J01 _____ 2H01 _____
Claims Manager _____ Concur/date 5/4/01
Committee Action _____ Council Action _____

COUNCIL OF THE CITY OF ATLANTA
MUNICIPAL CLERK
City Hall
55 Trinity Avenue, S.W.
Atlanta, Georgia 30335

BURNS
04/16/01
RE: CLAIM FOR DAMAGES

Today's Date: 4/16/01

Dear Municipal Clerk:

ENTERED - 4-16-01 - SB

0110230 - GWEN BURNS

This is to notify the City of Atlanta that I have suffered damages in the amount sum of \$ Pending property and/or \$ bodily injury for which I contend the City is liable.

1. Date of incident: 4/12/01 2. Time of Incident: 11:01 3. Police called: X
(month/day/year) Yes No

4. Location of incident (including street address): ON Ramp to I-75 S from S. Marietta Pkway

5. Name of your insurance company: Atlanta Policy No.

6. State what and how incident occurred: Vehicle 1 and a Fast Bound on the TA South Marietta Parkway stop at red light. Vehicle 2 was behind vehicle 1. When Vehicle 1 backed in vehicle 2 and admitted her Ear

7. ALL ESTIMATES AND DAMAGES ARE SUBJECT TO INSPECTION. THE MAKING OF FALSE CLAIMS WILL RESULT IN YOUR CLAIM BEING DENIED AND MAY RESULT IN CRIMINAL PROSECUTION!

8. The registered owner must make the claim for vehicle damages, complete the following and attach two (2) estimates of repair and proof of ownership of your vehicle (copy of the current tag receipt or title).

Your vehicle: Nissan 94 1D56175 Karsten H. Perry
(Make) (Year) (Tag Number) (Driver's Name)

City vehicle: Ford E150
(Make) (City Driver's Name) (Department/Bureau)

9. Witness: (Name) (Address) (Telephone Number)

10. The acknowledgment of this claim in no way waives the Sovereign immunity of the City of Atlanta, as granted by State law, nor is it an admission of liability on behalf of the City of Atlanta and/or its employee(s).

11. This claim should be mailed immediately to the address shown above.

I HEREBY SWEAR OR AFFIRM THAT THE ABOVE INFORMATION IS TRUE AND CORRECT.

Signature of Claimant: Karsten H. Perry

Karsten Perry
(Print Claimant's Name)

1516 18th Place No B
(Address)

Birmingham, AL 35234
(City, State and Zip Code)

205-249-3270 205-251-8070
(Work Number) (Home Number)

GENERAL RELEASE AND INDEMNIFICATION

CLAIM NUMBER 00L0230

\$ 2,000.00

IN CONSIDERATION of the sum of TWO THOUSAND AND 00/100
 DOLLARS, to be paid to me by the CITY OF ATLANTA, the future receipt of which is hereby
 acknowledged, I do hereby, for myself, my heirs, executors, administrators, and assigns, release and forever
 discharge said City, its officers and employees, including but not limited to **Lisa A. Grant**, from any and all
 claims, demands, actions, causes of action, suits, damages, loss and expenses, of whatsoever kind or nature for or
 on account of anything that has heretofore occurred, and particularly for or on account of a vehicular accident
 which occurred on or about the 12th day of April, 2001
 at or near South Marietta Parkway at I-75 South.

It is further understood and agreed that the payment of the above named sum is not to be considered as an admission on the part of the City, its officers, agents, servants or employees, of any liability whatsoever and the undersigned further covenants and agrees to indemnify and hold harmless the City of Atlanta, its officers, agents, servants and employees, from any and all claims, damages or costs which the said City of Atlanta, its officers, agents, servants and employees, may be called upon to make as a result of the event hereinbefore referred to.

And I now state that the only consideration for my signing this release and indemnification is the payment of the sum stated above; that no other promise or agreement of any kind or nature has been made to or with me by said City or its agents to cause me to sign this release, and that I fully understand the meaning and intent of this instrument.

WITNESS my hand and seal this 7 day of May, 20 01.

Karsten L. Perry (LS)
KARSTEN PERRY

The above release was read and explained to, and signed by the said Karsten Perry
(Karsten Perry)

in our presence on the date above written.

_____ in our presence on the date above written:
 Dawn Ruffey
 Sherry Butler
 WITNESSES

President Pro Tem Bond Presided

RCS# 2865
5/21/01
1:48 PM

Atlanta City Council

Regular Session

CONSENT

Pages 1 thru 16

ADOPT

YEAS: 12
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 2
EXCUSED: 0
ABSENT 2

SEE ATTACHED LISTING OF
ITEMS ADOPTED/ADVERSED
ON CONSENT AGENDA

NV McCarty	Y Dorsey	Y Moore	Y Thomas
B Starnes	Y Woolard	Y Martin	Y Emmons
Y Bond	Y Morris	Y Maddox	B Alexander
Y Winslow	Y Muller	Y Boazman	NV Pitts

ITEM (S) REMOVED FROM
CONSENT AGENDA

01-O-0721
01-O-0752
01-O-0753
01-O-0494
01-O-0712
01-R-0763
01-R-0765

CONSENT

**ITEMS ADOPTED
ON CONSENT
AGENDA**

1. 01-O-0582
2. 01-O-0583
3. 01-O-0584
4. 01-O-0585
5. 01-O-0586
6. 01-O-0587
7. 01-O-0742
8. 01-O-0748
9. 01-O-0715
10. 01-O-0723
11. 01-O-0751
12. 01-O-0754
13. 01-O-0755
14. 01-O-0756
15. 01-O-0106
16. 01-O-0495
17. 01-O-0496
18. 01-O-0497
19. 01-O-0498
20. 01-O-0567
21. 01-O-0568
22. 01-O-0569
23. 01-O-0616
24. 01-O-0638
25. 01-O-0643
26. 01-O-0665
27. 01-O-0716
28. 01-O-0759
29. 01-R-0667
30. 01-R-0669
31. 01-R-0670
32. 01-R-0656
33. 01-R-0675
34. 01-R-0676
35. 01-R-0725
36. 01-R-0744
37. 01-R-0750
38. 01-R-0758
39. 01-R-0456
40. 01-R-0654

**ITEMS ADOPTED
ON CONSENT
AGENDA**

41. 01-R-0757
42. 01-R-0698
43. 01-R-0699
44. 01-R-0700
45. 01-R-0764
46. 01-R-0649
47. 01-R-0658
48. 01-R-0659
49. 01-R-0661
50. 01-R-0662
51. 01-R-0673
52. 01-R-0677
53. 01-R-0678
54. 01-R-0679
55. 01-R-0680
56. 01-R-0681
57. 01-R-0682
58. 01-R-0683
59. 01-R-0760
60. 01-R-0684

**ITEMS ADVERSED
ON CONSENT
AGENDA**

61. 01-R-0685
 62. 01-R-0686
 63. 01-R-0687
 64. 01-R-0688
 65. 01-R-0689
 66. 01-R-0690
 67. 01-R-0691
 68. 01-R-0692
 69. 01-R-0693
 70. 01-R-0694
 71. 01-R-0695
 72. 01-R-0697
 73. 01-R-0761
 74. 01-R-0762
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